United Nations S/2010/402

Security Council

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The Security Council,

Reaffirming all its previous resolutions and presidential statements concerning the situation in Sudan,

Reaffirming its strong commitment to the sovereignty, unity, independence and territorial integrity of Sudan and its determination to work with the Government of Sudan, in full respect of its sovereignty, to assist in tackling the various challenges in Sudan,

Recalling also its previous resolutions 1674 (2006) and 1894 (2009) on the protection of civilians in armed conflict, which reaffirm, inter alia, the relevant provisions of the United Nations World Summit outcome document, 1612 (2005) and 1882 (2009) on children in armed conflict, 1502 (2003) on the protection of humanitarian and United Nations personnel, and 1325 (2000) and associated resolutions on women, peace and security,

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951 and its additional protocol of 16 December 1966, along with the 1969 Convention of the Organization of African Unity governing the specific aspects of refugee problems in Africa, as well as the African Union Convention of 29 October 2009, on the Protection and Assistance of internally displaced persons in Africa,

Recalling the report on Children in Armed Conflict in Sudan dated 10 February 2009 (S/2009/84), including its recommendations, and recalling the conclusions endorsed by the Security Council Working Group on Children in Armed Conflict in Sudan (S/AC.51/2009/5),

Expressing its strong commitment and determination to promote and support the Darfur political process, and the efforts of the Joint Chief Mediator (JCM), *welcoming* his commitment to progress and the negotiations between the Government of Sudan (GoS) and the Liberation and Justice Movement (LJM) on an agreement under the auspices of the JCM, and *deploring* the fact that some groups continue to refuse to join the political process,

Underlining, without prejudice to the Security Council's primary responsibility for the maintenance of international peace and security, the importance of the partnership between the United Nations and the African Union (AU), consistent with

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Chapter VIII of the United Nations Charter, with regard to the maintenance of peace and security in Africa, particularly in Sudan,

Welcoming the important role of AU in Sudan, in particular the efforts of the AU High Level Implementation Panel for Sudan, working in cooperation with the Joint Chief Mediator and the AU/UN Hybrid Operation in Darfur (UNAMID) to promote peace, reconciliation and accountability in Darfur, including through the early convening of a Darfur-Darfur conference, with a view to encouraging early progress in the AU-UN led peace process,

Welcoming the report of the Secretary-General of 14 July (S/2010/382) on UNAMID,

Stressing the need for the Council to pursue a rigorous, strategic approach to peacekeeping deployments, with a view to enhancing the effectiveness of peacekeeping missions; *underlining*, in this regard, the importance of addressing the requirement for UNAMID to be able to deter threats to the implementation of its mandate, and the safety and security of its peacekeeping personnel in accordance with the Charter of the United Nations,

Expressing deep concern at the deterioration in the security situation in Darfur, including ceasefire violations, attacks by rebel groups, aerial bombardment by the Government of Sudan, increased inter-tribal fighting, and attacks on humanitarian personnel and peacekeepers, which have restricted humanitarian access to conflict areas where vulnerable civilian populations reside, as contained in the report of the Secretary-General, and *calling* on all parties to cease hostilities and urgently facilitate humanitarian access,

Reiterating its condemnation of all violations of human rights and international humanitarian law in Darfur, *calling* on all parties to comply with their obligations under international humanitarian and human rights law, *emphasizing* the need to bring to justice the perpetrators of such crimes and *urging* the Government of Sudan to comply with its obligations in this respect,

Reaffirming its concern over the negative affect of the ongoing violence in Darfur on the stability of Sudan as a whole as well as the region, *welcoming* improved relations between Sudan and Chad following the signature on 15 January 2010 by the Government of Sudan and the Government of Chad of an agreement to normalize their bilateral relations as well as the deployment of a joint force under a joint command along the border, and *encouraging* Sudan and Chad to continue to implement this agreement and to cooperate in order to achieve peace and stability in Darfur and the wider region,

Determining that the situation in Sudan constitutes a threat to international peace and security,

1. *Decides* to extend the mandate of UNAMID as set out in resolution 1769 (2007) for a further 12 months to 31 July 2011;

2. *Underlines* the need for UNAMID to make full use of its mandate and capabilities, giving priority in decisions about the use of available capacity and resources to (a) the protection of civilians across Darfur, and (b) ensuring safe, timely and unhindered humanitarian access, the safety and security of humanitarian personnel and humanitarian activities;

3. *Reaffirms* the importance of promoting the AU-UN led political process for Darfur, and in this regard, *underlines* the need for the systematic and sustained engagement of all Darfurian stakeholders, including newly elected officials, civil society, including women and women-led organizations, community groups and tribal leaders, in order to create a conducive environment for peace and security through constructive and open dialogue, *welcomes* the priority given to UNAMID's continuing efforts to promote such engagement in support of and to complement the work of the Joint Chief Mediator Mr. Djibrill Yipene Bassole and the AU-UN led political process for Darfur; and *welcomes* the work of the AU High Level Implementation Panel for Sudan in this regard;

4. *Requests* UNAMID in consultation with the UN Country Team to develop a comprehensive strategy for the achievement of the objectives set out in paragraph 2 above and *requests* UNAMID to maximize the use of its capabilities in Darfur, in the implementation of that strategy;

5. *Commends* the contribution of troop and police contributing countries and donors to UNAMID *notes that* UNAMID is nearing full deployment; *underlines* the need for capable units able to carry out UNAMID's mandated tasks, in this regard, *requests* the continuing assistance of donors to troop and police contributing countries in ensuring units are suitably trained and equipped to conduct and sustain themselves on operations and *calls* on Member States to pledge and contribute the remaining military utility helicopters, aerial reconnaissance, and other force enablers required;

6. *Strongly condemns* all attacks on UNAMID; *underlines* that any attack or threat on UNAMID is unacceptable; *demands* that there be no recurrence of such attacks, *stresses* the need to enhance the safety and security of UNAMID personnel, as well as the need to bring an end to impunity for those who attack peacekeepers, and in this regard *urges* the Government of Sudan to do its utmost to bring the perpetrators of any such crimes to justice;

7. *Commends* the credible work of the Tripartite Mechanism but *expresses deep concern* at continuing restrictions placed upon UNAMID movement and operations; *calls on* all parties in Darfur to remove all obstacles to UNAMID's full and proper discharge of its mandate, including by ensuring its security and freedom of movement; and in this regard, *urges* the Government of Sudan to comply with the Status of Forces Agreement fully and without delay, particularly regarding flight and equipment clearances, and the removal of all obstacles to the use of UNAMID aerial assets in order to, inter alia, respond to armed threats and emergency medical evacuations as appropriate;

8. *Stresses* the importance of achievable and realistic targets against which the progress of United Nations peacekeeping operations can be measured; *requests* the Secretary-General to continue reporting to the Council every 90 days on progress made towards implementing UNAMID's mandate across Darfur, including on progress towards and obstacles to the implementation of the strategy referred to in paragraph 4 above, also including an assessment of progress against the benchmarks set out in Annex II of the report of the Secretary-General of 16 November 2009 as well as on progress on the political process, the security and humanitarian situation, including in the IDP sites and refugee camps, and early recovery and all parties compliance with their international obligations;

9. *Demands* that all parties to the conflict in Darfur immediately end violence, attacks on civilians, peacekeepers and humanitarian personnel, and comply with their obligations under human rights and international humanitarian law; *affirms*, in this context, the Council's strong opposition to serious violations of international humanitarian law and human rights law; *calls* for an immediate cessation of hostilities and for all parties to commit themselves to a sustained and permanent ceasefire; *requests* the Secretary-General to consult with relevant parties with a view to developing a more effective ceasefire monitoring mechanism; and *underlines* the need for UNAMID to report on major instances of violence which undermines the parties' full and constructive efforts towards peace;

10. *Expresses* its serious concern at the deterioration of the humanitarian situation, the continued threats to humanitarian organizations, and the restricted humanitarian access in Darfur, *calls* for the full implementation of the Communiqué between the Government of Sudan and the United Nations on Facilitation of Humanitarian Activities in Darfur; and *demands* that the Government of Sudan, all militias armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel and the delivery of humanitarian assistance to populations in need;

11. *Reiterates* that there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of UNAMID are essential to re-establishing peace; *reaffirms* its full support for the work of Joint Chief Mediator Mr. Djibrill Yipené Bassolé and the AU/UN led political process for Darfur;

12. *Demands* that all parties to the conflict, including all rebel groups, immediately engage fully and constructively in the peace process without preconditions, including by entering into talks under the mediation of Mr. Bassolé with a view to completing an inclusive and comprehensive agreement, underlines the importance of completing such an agreement in order to bring a stable and durable peace to the region *welcomes* the work of Qatar in this regard and the support of other countries in the region; *calls* on UNAMID to continue to support the Joint Chief Mediator and the Joint Mediation Team;

13. *Notes* that conflict in one area of Sudan affects other areas of Sudan and the wider region; and *urges* UNAMID to coordinate closely with other United Nations' missions in the region, including the United Nations Mission in Sudan (UNMIS) and the United Nations Mission in the Central African Republic and Chad (MINURCAT);

14. *Requests* UNAMID, consistent with its current capabilities and mandate, to assist and complement UNMIS' efforts, as appropriate, in preparing for the referenda in Southern Sudan and Abyei, including coordinating closely with UNMIS in sharing analysis of risks in the border areas, particularly regarding threats to civilians;

15. *Stresses* the importance of achieving dignified and durable solutions for refugees and internally displaced persons, and of ensuring their full participation in the planning and management of these solutions, *demands* that all parties to the conflict in Darfur create the conditions conducive to allowing the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons or their local integration;

16. *Notes* that security will greatly facilitate early recovery initiatives and a return to normalcy in Darfur; *stresses* the importance of early recovery efforts in Darfur, and in this respect *encourages* UNAMID, within its current mandate, to facilitate the work of the UN Country Team and expert agencies on early recovery and reconstruction in Darfur, inter alia through the provision of area security; and *calls on* the Government of Sudan to continue its efforts to resolve the root causes of the Darfur crisis and to increase investment in early recovery activity;

17. *Expresses deep concern* over the persistent localized conflicts and violence and their effect on civilians, and the proliferation of arms, in particular small arms, and, in this regard, *requests* UNAMID to continue to support local conflict resolution mechanisms and to monitor whether any arms or related material are present in Darfur in accordance with its mandate as set out in paragraph 9 of resolution 1769;

18. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008); and *requests* UNAMID "to report on the implementation of its comprehensive strategy for providing protection to women and children from sexual violence and gender based violence, as well as to assess progress towards the elimination of sexual and gender-based violence, *requests* the Secretary-General to ensure that the relevant provisions of resolutions 1325 (2000) and 1820 (2008), 1888 (2009) and 1889 (2009) are implemented by UNAMID and to include information on this in his reporting to the Council;

19. *Requests* the Secretary-General to ensure (a) continued monitoring and reporting, as part of the reports referred to in paragraph 8 above, of the situation of children and (b) continued dialogue with the parties to the conflict towards the preparation of time bound action plans to end the recruitment and use of child soldiers and other violations of international humanitarian law and human rights law against children;

20. *Requests* the Secretary-General periodically to review and update the concept of operations and rules of engagement of UNAMID in line with the mission's mandate under relevant Security Council resolutions and to report, as part of the reports referred to in paragraph 8 above, on this to the Security Council and troop-contributing countries;

21. *Decides* to remain seized of the matter.